

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIC FLORES,

Plaintiff,

v.

UNITED STATES ATTORNEY GENERAL,

Defendant.

Case No. C15-1653 RAJ

**REPORT AND
RECOMMENDATION**

On October 15, 2015, Plaintiff filed an Application to Proceed In Forma Pauperis before this Court. Plaintiff's Application was referred to the undersigned on October 16, 2015. The undersigned issued an order regarding the deficiency of Plaintiff's Application for failure to use the correct application form that day. Dkt. 4. The Order directed Plaintiff to submit a renewed In Forma Pauperis Application utilizing this Court's application form, as required by LCR 3(b)(1), by November 6, 2015. *Id.* The Clerk of this Court mailed a copy of the Order to Plaintiff on October 16, 2015, along with a letter enclosing the correct In Forma Pauperis Application form. Dkts. 2, 4. On November 2, 2015, both the Order and the Clerk's letter were returned as undeliverable. Dkts. 5–6. To date, Plaintiff has not provided the Court with a correct mailing address, nor has the Plaintiff submitted any additional filings in this case. Based upon Plaintiff's failure to provide the Court with a current mailing address, the undersigned

1 recommends that this case be dismissed without prejudice pursuant to LCR 41(b)(2) on **January**
2 **4, 2016**. Should Plaintiff provide the Court with an updated mailing address as well as a
3 renewed In Forma Pauperis Application utilizing the correct application form before that time,
4 the application should be referred back to the undersigned for further consideration.

5 **OBJECTIONS AND APPEAL**

6 This Report and Recommendation is not an appealable order. Therefore a notice of
7 appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
8 assigned District Judge enters a judgment in the case.

9 Objections, however, may be filed and served upon all parties no later than **November**
10 **24, 2015**. The Clerk should note the matter for **November 25, 2015**, as ready for the District
11 Judge's consideration if no objection is filed. If objections are filed, any response is due within
12 14 days after being served with the objections. A party filing an objection must note the matter
13 for the Court's consideration 14 days from the date the objection is filed and served. The matter
14 will then be ready for the Court's consideration on the date the response is due. Objections and
15 responses shall not exceed three pages. The failure to timely object may affect the right to
16 appeal.

17 DATED this 10th day of November, 2015 .

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20 BRIAN A. TSUCHIDA
21 United States Magistrate Judge
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